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Attorney Docket No.: 60188-841

PATENT

HE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Customer No.20277

Katsuya ARAI, et al..

Confirmation No.: 2727

Serial No.: 10/827,442

Group Art Unit: 2836

Filed: April 20, 2004

Examiner: DHARTI HARIDAS PATEL

For: SEMICONDUCTOR INTEGRATED CIRCUIT DEVICE

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment Hon. Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed September 25, 2006, having a shortened statutory period for response set to expire October 25, 2006, wherein the Examiner required restriction between the following distinct *Species*:

Embodiment 1: Figure 1; Embodiment 2: Figure 2; Embodiment 3: Figure 3; Embodiment 4: Figure 4; Embodiment 5: Figure 5; Embodiment 6: Figure 6; Embodiment 7: Figure 7; and Embodiment 8: Figure 8.

Application No.: 10/827,442

Applicants elect, without traverse, Species III, Embodiment 3, Figure 3, with claims 1, 5 and 11-14 readable thereon, for initial prosecution on the merits. Applicants also reserve the right to file a Divisional Application for the non-elected claims, which the Examiner has indicated are patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: $\frac{1}{\sqrt{11/3}}$

By:

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